

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

U.S. BANK NATIONAL ASSOCIATION,)

VS.)

Case No.: 2:16-cv-00576-GMN-NJK

SFR INVESTMENTS POOL 1, LLC,

ORDER

Defendant.

Pending before the Court is a Motion for Demand for Security of Costs, (ECF No. 10-1) filed by Defendant SFR Investments Pool 1, LLC (“Defendant”), to which Plaintiff Bank National Association (“Plaintiff”) filed a Notice of Non-Opposition, (ECF No. 10-2). For the reasons set forth below, the Motion is granted.

The Ninth Circuit recognizes that “federal district courts have inherent power to require plaintiffs to post security for costs.” *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). Under Nevada law, “[w]hen a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant.” NRS § 18.130(1). “After the lapse of 30 days from the service of notice that security is required . . . upon proof thereof, and that no undertaking as required has been filed, the court or judge may order the action to be dismissed.” NRS § 18.130(4). It is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS § 18.130 in diversity actions. *See, e.g., Feagins v. Trump Org.*, No. 2:11-cv-01121-GMN, 2012 WL 925027, at *1 (D. Nev. Mar. 19, 2012).

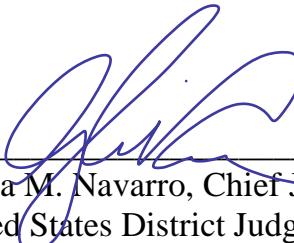
1 Because Plaintiff resides outside of Nevada, (Compl. ¶ 2, ECF No. 1), the Court
2 finds that it is appropriate to require Plaintiff to post a security bond of \$500.00 in this
3 matter pursuant to NRS § 18.130.

4 **IV. CONCLUSION**

5 **IT IS HEREBY ORDERED** that the Motion Demanding Security of Costs, (ECF
6 No. 7), is **GRANTED**.

7 **IT IS FURTHER ORDERED** that Plaintiff must submit a bond pursuant to this
8 Order in the amount of \$500.00 as to Defendant. Failure to do so within thirty days of
9 the filing date of this Order shall constitute grounds for dismissal.

10 **DATED** this 3 day of October, 2016.

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Gloria M. Navarro, Chief Judge
United States District Judge